

FILED
DISTRICT COURT OF GUAM

JAN 23 2008

JEANNE G. QUINATA
Clerk of Court

IN THE DISTRICT COURT OF GUAM
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN WILLIAM ELM,

Defendant.

CRIMINAL CASE NO. 07-00026

**CONSENT TO RULE 11 PLEA IN
A FELONY CASE BEFORE UNITED
STATES MAGISTRATE JUDGE**

I have been advised by my attorney and by the United States Magistrate Judge of my right to enter my plea in this case before a United States District Judge. I hereby declare my intention to enter a plea of guilty in the above case, and I request and consent to the Magistrate Judge conducting the proceedings required by Rule 11, Federal Rules of Criminal Procedure, incident to the making of such plea. I understand that if the United States Magistrate Judge recommends that the plea of guilty be accepted, a presentence investigation and report will be ordered pursuant to Rule 32, Federal Rules of Criminal Procedure. I further understand that the assigned United States District Judge will then act on the Magistrate Judge's Report and Recommendation; and, if the plea of guilty is accepted, will adjudicate guilt and schedule a

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1 sentencing hearing at which the District Judge will decide whether to accept or reject any
2 associated plea agreement, and will determine and impose sentence.

3 DATED this 23 day of January 2008.

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7 BRIAN WILLIAM ELM
8 Defendant

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11 F. RANDALL CUNLIFFE
12 Attorney for Defendant

13 APPROVED:

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16 KARON V. JOHNSON
17 Assistant U.S. Attorney